

Sec. 90-194. LANDSCAPING REQUIREMENTS

(a) Purpose and Intent. - The purpose and intent of this article is to provide requirements, standards and regulations for the installation and maintenance of landscaping and landscaped open space. The Town recognizes the aesthetic, ecological and economic value of landscaping and requires its use to:

- Preserve and enhance Surfside's urban forests;
- Promote the reestablishment of vegetation in the urban area for aesthetic, health and urban wildlife reasons;
- Reduce stormwater runoff pollution, temperature and rate and volume of water flow;
- Establish and enhance a pleasant visual character which recognizes aesthetics and safety issues;
- Create and enhance a subtropical environment to reinforce the identity, distinctiveness and sense of place for Surfside that is essential to the quality of visitor experiences that strengthen the Town's economic base of tourism.
- Promote compatibility between land uses by reducing the visual, noise, and lighting impacts of specific development on users of the site and abutting uses;
- Unify development and enhance and define public spaces;
- Promote the retention and use of existing and native vegetation;
- Aid in energy conservation by providing shade from the sun and shelter from the wind;
- Restore natural communities through re-establishment of native plants;
- Mitigate for the loss of natural resource values; and
- Maintain and improve the aesthetic quality of the Town of Surfside, thereby promoting the health and general welfare of its citizenry.

(b) Administrative Review. – Except where the requirements of this Section related to the review and approval of plans and permits specifically delegate such authority to the Planning and Zoning Board, such review and approval shall be the responsibility of the Town Building Official.

(c) Definitions. - The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Automatic irrigation system: An irrigation system with a programmable controller including a rain sensor.

Buffer/perimeter landscape: An area of land which is set aside along a perimeter of a parcel of land in which landscaping is required to provide a visual barrier or aesthetic transition between different land uses or to provide a landscape area between the public right-of-way and the off-street parking area and to eliminate or reduce the adverse environmental impact, or incompatible land use impact.

Caliper: For trees under four inches in diameter, the trunk diameter measured at a height of six inches above natural grade. For trees four inches and greater in diameter, the trunk measured at 12 inches above natural grade.

Town: Town of Surfside, Florida.

Official: The Building Official of Surfside, Florida, or designee.

Drip line: An imaginary vertical line extending from the outermost horizontal circumference of a tree's branches to the ground.

Dumpster: A refuse container of one cubic yard or larger.

Grey wood: The area of trunk on a palm from ground level to the palm frond sheath except where removal of fronds is necessary to protect property and public safety.

Ground Cover: Plant material which normally reaches a maximum height of not more than 24 inches.

Hatracking: To flat cut the top of a tree, severing the leader or leaders; or pruning a tree by stubbing off mature wood larger than three inches in diameter; or reducing the tree's living canopy by more than one-third except where removal of branches is necessary to protect property and public safety. The following trees are exempt from this section: *Schinus terebinthifolius* (Brazilian Pepper), *Metopium toxiferum* (Poison Wood), *Casuarina* spp. (Australian Pine), *Melaleuca quinquenervia* (Cajeput Tree), *Acacia Auriculiformis*, *Bischofia Javanica*, *Araucaria heterophylla* (Norfolk Island Pine), or *Thespesia Populnea* (Seaside Mahoe).

Hazard Pruning: The removal of dead, dying, diseased, weak or objectionable branches in a manner consistent with the National Arborist Association standards as incorporated herein.

Hedge: A landscape barrier consisting of a continuous, dense planting of shrubs or trees or any combination thereof that form a barrier or boundary along a property line.

Height: The height of a wall, fence or hedge shall be the vertical distance measured from the average elevation of the finished building site to the top of the wall, fence or hedge except that the height of fences or hedges within the front yard area and for corner lots the side street yard area, shall be measured from the top elevation of the adjoining curb, gutter if no curb exists, or edge of street pavement if no curb or gutter exists. The average elevation shall be measured along the wall, fence or hedge line where same is to be placed. The land within the area where the wall, fence or hedge is to be placed shall not be increased or decreased to affect the permitted height, unless the entire building site is to be graded to level off said area.

Landscaping Material: Any of the following or combination thereof such as, but not limited to: Grass, ground cover, shrubs, vines, hedges, and trees or palms.

Lawn Area: An area planted with lawn grasses.

Moisture and Rain Sensor Switch: Devices which have the ability to switch off an automatic irrigation controller after receiving a predetermined amount of rainfall or moisture content in the soil.

Mulch: Non-living organic materials customarily used in landscape design to retard weed infestation, erosion, and retain moisture and for use in planting areas.

Native Plant Species: Plant species with a geographic distribution indigenous to all or part of Miami-Miami-Dade County. Plants which are described as being native to Miami-Miami-Dade County in botanical manuals such as, but not limited to, "A Flora of Tropical Florida" by Long and Lakela and "The Biology of Trees Native to Tropical Florida" by P.B. Tomlinson, are native plant species within the meaning of this definition. Plant species which have been introduced into Miami-Miami-Dade County by man are not native plant species.

Natural or Conservation Area: An area, as identified in the Town's comprehensive plan, designated on the site plan containing natural vegetation, which will remain undisturbed when property is fully developed.

Palms: Members of the Palmae family which are monocots characterized by palmae or pinnate fronds attached to a trunk with a single growing point on each trunk. Palms may be single or multiple trunk.

Prohibited Plant Species: Those plants listed in the Miami-Miami-Dade County landscape manual which are demonstrably detrimental to native plants, native wildlife, ecosystems or human health, safety, and welfare, except as specifically allowed as hedge material only and upon approval of the Official.

Protective Barrier: A temporary fence or other structure built to restrict passage into an area surrounding a tree for the purpose of preventing any disturbance to the roots, trunk or branches of the tree or trees.

Retention Area: An area designed and used for the temporary or permanent storage of stormwater runoff, which may be either dry or wet retention as defined below:

- (1) Dry retention is an area which is designed for temporary storage of stormwater runoff and which is one foot above the ground water level as established by the Water Control District and has a maximum slope of 4:1.
- (2) Wet retention is an area which is designed for the permanent storage of water and is at least one-half acre in size, with an average width of not less than 100 feet and a minimum depth of eight feet below ground water level as established by the Water Control District, with maximum slope 4:1 extending down to a point five feet below the low water line.

Setback and yard areas: The front, side and rear areas or yards as established and required under these LDRs and within the zoning district requirements applicable thereto.

Shrub: A self-supporting woody perennial plant, usually with several permanent stems, normally growing to a height of 36 inches or greater, characterized by multiple stems and branches continuous from the base.

Tree: Any self-supporting woody perennial plant which, at maturity, attains a trunk diameter of at least four inches when measured at a point 4 1/2 feet above ground level and which normally attains an overall height of at least 25 feet, usually with one main stem or trunk and many branches.

Tree abuse: Tree abuse shall include:

- (1) Damage inflicted upon any part of a tree, including the root system, by machinery, construction equipment, cambium layer penetration, storage of materials, soil compaction, excavation, chemical application of spillage, or change to the natural grade.
- (2) Hat Racking.
- (3) Girdling or bark removal of more than one-third of the tree diameter.
- (4) Tears and splitting of limb ends or peeling and striping of bark resulting from improper pruning techniques not in accordance with the current National Association Standards.

Tree Canopy: The aerial extent of the branches and foliage of a tree.

Untended Vegetation: turf grass, weeds or underbrush in excess of eight (8) inches in height from the ground, vines or other vegetation.

Vehicular Use Area: A hard surface area designed or used for off-street parking and/or an area used for loading, circulation, access, storage, including fire trucks, garbage trucks, or display of motor vehicles.

Vines: Plants with flexible stems which normally require support to reach mature form.

Visual Screen: A physical obstruction used to separate two areas or uses which are at least 75 percent opaque. Visual screens shall be living plant material, of natural or manmade construction material or any combination thereof.

Wall: A wall, when used as a fence, shall be so constructed that , above 3 feet in height, no less than 50 percent of the vertical surface is open to permit the transmission of light, air and vision through such vertical surface except when required as a screening or buffer between a change in land uses.

Xeriscape: A type of landscaping utilizing native plants and ground cover that needs reduced water and little maintenance, which is detailed in the South Florida Water Management District publication, Xeriscape, Plant Guide II as amended, incorporated herein by reference. Appendix A, herein provides a reference list of plants considered well adapted to the South Florida climate and growing conditions and are

recommended as drought tolerant, hardy and easily maintained species for use in local landscaping.

(d) Landscape plan required. Except for RS, RS-1, RS-2, RD-1 and RD-2 Districts, prior to the issuance of a building permit for exterior construction (interior renovations, exterior painting and signage permits are exempted) greater than \$5000 in value or site plan approval, a landscape plan shall be submitted to and approved by the Official of the Building Department. In the event a landscape plan meeting the conditions of this section has been given prior approval for the property, the building official may accept such plan in lieu of a new submission. The landscape plan shall be drawn to a scale not less than 1" = 20'-0". All landscape plans must be signed and sealed by a State of Florida Registered Landscape Architect. This plan shall clearly delineate existing and proposed buildings, parking, driveways, or other vehicular use areas. The plan shall also designate the name (botanical and common), size (height and spread), quantity, quality and location of the plant material to be installed, as well as the name, size, location, and condition of viable, existing vegetation. The plan shall also include a tabulation of required and provided plant materials. The use of xeriscape principles in the development of this plan is strongly encouraged (see part L). No building permit or site plan approval shall be issued unless such landscape plan complies with the provisions herein. Specific guidance in complying with the provisions of this section may be obtained by referring to the Miami-Dade County Landscape Manual, available from the County office of Planning & Zoning, 111 NW 1st Street, Miami, 12th Floor, Zoning Information desk, Phone 305-375-1806 - \$12.96.

For RS, RS-1, RS-2, RD-1 and RD-2 Districts, a sketch plan indicating the general location of new landscaping in relation to existing and proposed structures, property lines and major site improvements such as pools and patios, the type of plant material (tree, palm, shrub, ground cover, turf grass, flower bed) and the approximate size of the plant material at time of installation shall be submitted. The common or botanical name of the plant material should be indicated to the greatest extent possible to assure compliance with Section 90-195. Prohibited Plants, Trees, Shrubs, Weeds and Vegetation. All existing trees of greater than 3 inch trunk diameter at chest height shall be noted on the sketch as to approximate location and trunk diameter.

(e) Minimum landscape requirements for all zoning districts.

- (1) Applicability - The provisions contained herein shall be applicable to all projects comprising new construction or substantial additions and alterations in excess of 50% of fair market value of the existing building, except as set forth in subsection (c) under administrative review. Also, if landscape in excess of 50 percent of total site landscaping requires replacement, the entire property shall be brought up to current landscape standards and requirements. This provision regarding existing development shall be applicable to the greatest extent reasonably possible as determined by the Town Manager. This chapter establishes minimum standards and shall apply to all public and private development when a building permit is required.
- (2) Tree specifications.

- a. For all RS, RS-1 and RS-2 Districts there shall be not less than three (3) trees per platted lot. For RD-1 and RD-2 Districts there shall be not less than nine (9) trees per platted lot. For RM-1 and RT Districts there shall be not less than twenty eight (28) trees per acre of net lot area. Fractions of a lot or an acre shall require a proportional number of trees to the nearest whole number. Required trees shall be of a species which normally grow to a minimum height of 25 feet and have a mature crown spread of not less than 20 feet with trunks which can be maintained with over six feet of clear wood. Emphasis is given to the use of native species.
 - b. All required trees shall have a minimum caliper – the diameter of the trunk at breast height (D.B.H) - of three inches and be a minimum of 10 feet in height overall at time of planting. A list of approved required trees is available from the Official of the Building Department.
 - c. Palms, if required, shall be a minimum of 10 feet in height and six feet of grey wood (see “grey wood” Section [c]. Definitions, above).
 - d. No more than 40 percent of all required trees shall be of a palm species, as determined by the Official.
 - e. Three palm trees shall be clustered to equal one required tree: The three palm trees in the cluster shall be of differing heights, with a minimum three-foot stagger between adjacent palms, but, in no case smaller than 10 feet in height. Roystonea sp. (Royal Palm) and Phoenix sp. (Date Palm) may have matching heights. Such clustering shall be determined by the Official.
 - f. It is prohibited to paint the trunks of trees or palms.
 - g. Tree limbs that overhang adjacent properties may be trimmed by the adjacent property owners to the extent of the overhang provided that if more than thirty (30) percent of the tree canopy is to be removed a permit shall be required.
- (3) Other plant material specifications.
- a. Shrubs and hedges: Shall be of a self-supporting, woody, evergreen species and shall be a minimum of two feet in height at time of planting. Hedges shall be planted and maintained so as to form a continuous, solid visual screen, of not less than three feet in height, within one year of planting. Spacing of plants shall be no more than 24 inches on center. Double staggered rows may be required in some areas as determined by Official or Designee.
 - b. Ground covers: May be used in lieu of turf grass. Gravel, crushed rock or similar surface treatments devoid of plant material are not ground cover. Where active use of landscaped yard areas is expected, some turf grass lawn areas to support such use are recommended. Ground covers shall present a finished appearance and reasonably complete coverage at time of planting.

- c. Lawn grass: For RS-1 and RS-2 Districts, lawn (turf grass) areas shall not exceed 60% of the required landscaped area. For RD-1 and RD-2 Districts , lawn (turf grass) areas shall not exceed 60% of the required landscaped area. For RM-1 and RT-1 Districts , lawn (turf grass) areas shall not exceed 40% of the required landscaped area. The balance of landscaped areas shall be shrubs and ground cover. Turf grasses shall be St. Augustine 'Floritam' solid sod, or other lawn type as approved by the Official, reasonably free of insects and noxious weeds.
- d. Quality: Plant material shall comply with required inspections, grading standards and plant regulations as set forth by the Florida Department of Agriculture's "Grades and Standards of Nursery Plants, Part I", latest revisions, and "Grades and Standards for Nursery Plants, Part II for Palms and Trees", or with superseding standards called for in these specifications. Plants shall conform to Florida No. 1 or better regarding:
 - 1. Shape and form.
 - 2. Health and vitality.
 - 3. Condition of foliage.
 - 4. Root system.
 - 5. Free from pest and mechanical damaged.
 - 6. Heavily branched and with dense foliage.
- e. Mulch: All exposed soil areas in planting beds, including hedge rows, shall be kept weed free, and mulched to a minimum three-inch depth (excluding seasonal color beds). Mulch should be replenished, as needed, to meet this requirement. The use of shredded and composted Melaleuca, grade B mulch is encouraged.
- f. Vines: Shall be not less than 24 inches in height at time of planting and may be used in conjunction with fences or walls. Where required, support vines with a trellis or other suitable support system that allows the vines to grow to the top of the fences or walls.
- g. Power lines: Where the height and location of overhead power lines requires the planting of low growing trees, trees shall have a minimum height of eight (8) feet, a minimum caliper of one and one-half (1 1/2) inches at time of planting, and shall meet the following requirements:
 - (a) Single trunk trees clear of lateral branches to four (4) feet and/or multi trunk trees or tree/shrubs, as referenced in the Landscape Manual, cleared of foliage to a height of four (4) feet.
 - (b) A maximum average spacing of twenty-five (25) feet on center.
 - (c) Maturing to a height and spread not encroaching within five (5) feet of overhead power distribution lines.

- (d) Under high voltage (50kV and above) transmission lines installed independent of underbuilt distribution lines, tree height and spread shall not exceed the minimum approach distances specified in the current ANSI (American National Standards Institute) Z133.1 Standards.
- (4) Installation.
 - a. Planting methods: All plant material shall be installed following accepted planting procedures as defined by the American Association of Nurserymen and The Florida Nurserymen and Growers Association.
 - b. Curbing: Except for RS, RS-1, RS-2 and RD-1 and RD-2 districts, landscaped areas, walls, structures, and walks shall require protection from the encroachment or overhang of vehicles. A continuous concrete curbing not less than six inches in height, as approved by the Official, shall be installed to prevent such encroachment.
 - c. Existing plant credit: In instances where healthy plant material exists on-site (particularly native or xeriscape species), the Official may adjust the requirements of this article to allow credit for such plant material if, in his opinion, such an adjustment is in keeping with and will preserve the intent of this article.
 - d. Permit requirements: A landscape permit will be required prior to installation.
- (5) Irrigation. Except in RS, RS-1, RS-2, RD-1 and RD-2 Districts, all newly landscaped areas shall be provided with a fully automatic underground irrigation system that provides 100 percent coverage to all landscaped areas. Exceptions, to be approved by the Building Official, may be made for Xeriscaped areas. The irrigation system should be designed to provide only the required water to sustain viable plant material. The use of a porous, pipe subsurface irrigation system that requires low water volume and pressure is encouraged when adjacent to vehicular roadway areas.
 - a. The operation of an irrigation system during periods of heavy rainfall is prohibited and shall conform to standards and regulations as established by the South Florida Water Management District. Irrigation controllers shall be switched to manual operation during periods of increased rainfall. Use of rain gauge sensors is required.
 - b. For purposes of water conservation and good horticultural practice, sprinkler heads irrigating lawns or other high water demand landscape areas shall be circuited so that they are on a separate zone and schedules from those irrigating trees, shrubbery or other reduced water requirement areas.
 - c. Landscape irrigation systems shall be designed so that, to the greatest extent practical, water being applied to non-pervious areas is eliminated.

- d. Use of non-potable water for use in the irrigation of lawn and plant material is required when determined to be available.
- e. Existing developed properties which receive three or more code violations in a 12-month period for landscaping which in the opinion of the Town are attributable, wholly or partially, to lack of proper watering shall be required to install an irrigation system.

(g) Maintenance.

- (1) General. In all districts, the owner, or his agent, shall be responsible for the maintenance, in perpetuity, of all landscaping material in good condition so as to present a healthy, neat, and orderly appearance and clear of weeds, refuse and debris. Landscaping material shall be trimmed and maintained so as to meet all Town, county or state site distance requirements. Hedges planted along property lines shall be maintained and neatly trimmed to prevent growth extending across the property line or otherwise encroaching on an adjacent property. Trees and tall shrubs shall be maintained and trimmed to prevent branches from extending over or contacting structures on adjacent properties. All lawn turf grasses shall be kept trimmed or mowed to a height not exceeding 8 inches above ground level. Tree species prone to wind damage shall be adequately trimmed prior to and during hurricane season (June - November).
- (2) Prohibition of litter and untended vegetation.
 - (a) The owners of all property within the city shall keep such property, and the adjoining unpaved portions of the public rights-of-way, swales and bulkheads clean, and free from any accumulation of garbage, trash or litter.
 - (b) The owners of all improved property within the city shall not permit untended vegetation upon such property, and the adjoining portions of the rights-of-way, swales and canal banks.
- (3) Tree Hat-racking. It shall be unlawful for any person to hat-rack any tree. Trees severely damaged by storms or other causes, or certain trees under utility wires or other obstructions where other pruning practices are impractical, may be exempted from this section at the determination of the Building Official.
- (4) Edging. Edging shall be accomplished in such a manner so as not to destroy landscaping material.
- (5) Fertilization. Fertilize landscaping material, as needed, to maintain healthy, viable growth. Use of environmentally safe fertilizer is required. Application of fertilizer must conform to manufacturers specifications.
- (6) Noncompliance by owner.
 - (a) *Notice of violation.* The enforcement of these provisions shall be in accordance with Sec. 90-3. Penalty for violation, and notification of any violation shall be as provided in Chapter 15. Code Enforcement of the Town Code.

(b) *Noncompliance with notice of violation.* If the owner of the subject property fails to complete corrective action as required by this section and the notice of violation by the date specified in the notice of violation, the city manager or his designee may authorize the correction of the noncomplying condition by the city. Failure of compliance shall subject the property owner to fines as provided in Chapter 15 of the Town Code.

The city shall have the right to mow, trim and/or remove untended vegetation and litter from any property not in compliance with this article and the charge for mowing, trimming and/or removal of such vegetation and/or litter shall be levied in an amount equal to the actual cost to the city.

(h) Tree removal permit. Except for trees or large shrubs listed in Sec. 90-195. Prohibited Plants, including Schinus terebinthifolius (Brazilian Pepper), Metopium toxiferum (Poison Wood), Albizia Lebbeck (Woman's Tongue), Dalbergia Sisoo (Indian Rosewood), Thespesia Populnea (Seaside Mahoe), Hibiscus Tilliaceus (Mahoe), Casuarina spp. (Australian Pine), Melaleuca quinquenervia (Cajeput Tree), Ficus Benjamina (Weeping Fig), Ficus Nitida (Laurel Fig) species, Acacia Auriculiformis (Earleaf Acacia), Bishoffia Javanica or Araucaria heterophylla (Norfolk Island Pine), an existing tree ~~on the site~~ having a trunk diameter of three inches or greater, shall not be removed or relocated without a permit from the Building Department of the Town. Tree removal, when authorized, shall include removal of the stump, grinding to ground level if necessary. In evaluating whether to grant a tree removal permit, the Official or Designee shall consider the size, species (native or not), health, rareness and age of the tree. A tree survey identifying all existing trees over three inches in diameter shall be included with any building permit application. This survey drawing shall be overlaid directly upon the site plan sufficiently to provide the accurate location of all existing trees which are proposed to be destroyed, relocated, or preserved, the botanical name and common name of each tree, and the diameter, height and canopy spread of each tree. In addition, all applicable portions of Miami-Dade County Tree Protection Ordinance #89-8 are adopted herein. Applicability of the Miami-Dade County Ordinance shall be as determined by the Official or Designee.

- (1) Protective Barrier. During site development, trees designated for preservation shall have protective barriers placed around each tree or cluster of trees at the drip line, or a minimum of six feet (in radius) from the trunk whichever is greater, of any protected tree. In addition, no excess soil, fill, equipment, building materials or building debris shall be placed within the areas surrounded by protective barriers.
- (2) Relocation Standards. Trees that are to be relocated shall be consistent with the following minimum standards:
 - a. Tree roots shall be severed a minimum of six weeks prior to relocation and in such a manner to provide a root ball which is sufficient to ensure survival of the tree when relocated.
 - b. After relocation, tree(s) shall be watered a minimum of three times per week until tree(s) are established.

- c. Any tree that dies or becomes nonviable within six months of relocation shall be replaced with a comparable species and size, as determined by the Official or Designee.
- (3) Tree removal authorization. A tree removal may be authorized when one of the following conditions exist:
 - a. It is determined by the Official or Designee, that tree relocation is not feasible.
 - b. An equivalent tree canopy is replaced on the same site. The owner or his agent will be responsible for replacing any tree that dies with a tree of comparable species and size, as determined by the Official or Designee.
 - c. The tree to be removed is examined by the Official or Designee, and is determined to be dead, severely damaged, or a safety hazard. All tree removal requires a tree permit application.

(i) Minimum Design Standards. The following shall apply to all developments requiring site plan or permit approval except for single and two-family dwellings (RS, RS-1, RD-1 and RD-2 Districts):

(1). Landscape Plans. Landscape plans shall be prepared by, and bear the seal of, a landscape architect licensed to practice in the State of Florida, or by persons authorized to prepare landscape plans or drawings by F.S. ch. 481. Landscape plans shall be submitted with the initial master plan for the development.

(2). Conformance to Urban Design Guidelines. All landscape plans shall conform to the standards and criteria of the adopted Surfside Urban Design Guidelines including the Home Size and Neighborhood Compatibility Design Standards. Where specific conditions make strict compliance with the Design Guidelines and Standards impractical or undesirable for purposes of providing special design features or protecting public safety, the Official may approve such modifications as are deemed to be consistent with the intent of the Urban Design Guidelines and Home Size and Neighborhood Compatibility Design Standards.

(3). Perimeter Landscape Requirements. Between dissimilar uses, adjacent to any street right-of-way, plus along the perimeter of all vehicular use areas, there shall be a continuous buffer strip of not less than five feet in width except where provisions of this code and the Town's Urban Design Guidelines specifically provide otherwise. These buffer strips shall include at least one tree for each 30 linear feet, or portion thereof, of perimeter. Where these buffer strips abut a vehicular use area, there shall be installed a hedge, berm, or other durable landscaped visual barrier, of not less than three feet in height and solid within one year of planting. Where the vehicular use area is highly visible from the public right-of-way, a double row of hedge may be required by the Official or designee. Sod or ground cover with irrigation, shall be installed to the edge of pavement. The following are exceptions to the perimeter landscape requirements:

- a. Access drives: Necessary accessways shall be permitted to traverse required perimeter buffer strips.
- b. Abutting a right-of-way but no vehicular use area: Buffer strips of not less than five feet in width shall require continuous hedges and one tree for every 25 feet.
- c. Abutting another vehicular use area: Accessways may traverse required buffer strips along common interior lot lines when said accessways improve overall vehicular circulation within and between abutting properties.
- d. RM, RT-1 and B-1 Districts abutting a RS, RS-1, RS-2, RD-1 or RD-2 residential district: Buffer strips of not less than five feet in width shall include a continuous solid wall, hedge, or other barrier vegetation at least five (5) feet in height, and one tree every 25 feet. All walls adjacent to a public roadway are to be located in order to allow vegetation and/or a vine to be planted at the base of the wall to screen the wall for anti-graffiti purposes. In addition, grass or ground cover shall be planted in the remaining open space of this buffer.

(4). Interior Landscape Requirements. For RT-1, RM-1 and B-1 Districts, within the interior of any vehicular use area (total area less required perimeter buffer strips), the following shall be required:

- a. When the interior of any vehicular use area is designed for off-street surface parking purposes, the following shall be provided:
 - 1. Terminal Islands: Contiguous rows of parking spaces shall be terminated on both ends with landscaped islands with not less than seven feet in width (excluding curbing), and with a minimum of one tree per each island. The ends of such islands may be tapered to accommodate vehicle circulation. Such islands shall extend the entire length of the parking space and include at least one tree for every 100 square feet, or portion thereof, of said island. The remainder of the terminal island shall be well landscaped with grass or ground cover.
 - 2. Interior Islands: Landscaped interior islands shall be seven feet in width (excluding curbing) and not less than 90 square feet each in area and shall be placed within individual rows of contiguous parking spaces so that there is not less than one island for every ten parking spaces, or portion thereof and shall continue the full length of the contiguous parking space. At least one tree shall be planted in every interior island and the remainder of the island shall be landscaped with grass or ground cover. Interior islands should not be placed directly opposite each other when in abutting parking rows, except when a pedestrian walkway crosses a parking area and it is desirable to utilize aligned islands to provide a pathway for pedestrian movements, in which case the island may be paved with interlocking, sand set pavers. Any arrangement which creates a non-regimented appearance, relieves monotony, increases tree canopy and fulfills the requirements of this article may be approved by the Official or Designee.

Where any row of contiguous parking spaces is located so as to abut another row of contiguous parking spaces, a landscaped divider median of not less than seven feet (excluding curbing) in width shall be required between contiguous rows.

3. Divider medians: Where any row of contiguous parking spaces is located so as to abut an interior driveway rather than another row of contiguous parking spaces, a landscaped divider median of not less than seven feet (excluding curbing) in width shall be required between said row and the abutting driveway. At least one tree shall be planted for every 25 lineal feet of said median and the remainder of said median shall be landscaped with grass or ground cover.
- b. When the interior of any vehicular use area is designed primarily for purposes other than off-street parking, such as for drive-in or drive-through banking or retailing, the drive-through lane shall be separated from other vehicular use areas for its entire length, with a five-foot wide (excluding curbing) landscaped area planted with one tree for every 25 linear feet, and with lawn grass or ground cover. The portion of the drive-through lane that is adjacent to the primary structure shall have a minimum three feet wide landscaped area between the structure and the drive-through lane, or as determined by the Official or Designee.
- (5). Landscape requirements for non-vehicular use areas. Develop a landscape plan that beautifies, provides shade, and complements the architecture of the adjacent building, subject to the approval of the Official or Designee.
- (6). Clear sight triangles.
 - a. When an accessway intersects a public street or alley right-of-way, or another accessway, or when the vehicular use area is contiguous to the intersection of two or more public rights-of-way, all landscaping within the triangular areas created by such intersections and defined below shall provide unobstructed vision clearance at an elevation of 30 inches to eight feet in height. Vision clearance requirements shall comply with American Association of State Highway & Transportation Officials (AASHTO).
 - b. Trees having over six feet of clear trunk with limbs and foliage trimmed in such a manner as not to extend into the vision clearance area shall be permitted, provided they in no way create a traffic hazard. No landscaping elements, except for grass, ground cover, or hedges shall be located nearer than five feet to any accessway intersection of a public road.
 - c. Intersection of two public streets: The vision clearance area shall be the triangular area formed by the intersection of the two streets beginning at the point where property lines meet at the corner, or in the case of rounded property corners, the point at which they would meet without such rounding, and then extending 25 feet along each property line. The vision clearance area shall be where the two furthestmost points are connected by a diagonal line.

- d. Intersection of any alley or accessway with a public street, or with another alley or accessway area at such intersections shall be as defined above, except that the two equal sides of the triangular area shall be 15 feet in length.
 - e. Where Town, Miami-Dade County or Florida Department of Transportation (FDOT) roads are involved, meet all Town, Miami-Dade County, or FDOT design criteria related to highway safety for all landscaping material.
- (7). Required Landscape or Pervious Areas. Not more than 60 percent of such areas shall be grass. The balance shall be ground cover, shrubs, or other suitable landscape material.
- (8). Dumpsters. All dumpsters shall be completely screened from view from the adjacent properties and the public right-of-way by the use of walls or fences and landscaping material, subject to the approval and standards as established by the Building Official or Designee.
- (9). Retention Areas. Retention areas shall be landscaped with suitable planting material so as to create an aesthetically pleasing appearance, subject to the approval of the Official or Designee.
- (10). Drive-through. Drive-through or loading areas shall be screened from view from the adjacent properties and the public right-of-way by the use of landscaping material, subject to the approval and standards as established by the Official or Designee
- (11). Garage and Building Rooftop Landscaping. Not less than fifty (50) percent of rooftop areas of buildings that are ancillary to and are visible from upper level dwelling or hotel units in adjacent primary use residential or hotel towers on the same site shall be screened or buffered through the use of landscaped horizontal trellis structures, shade or palm trees in irrigated planters, canopies, screening walls enclosing mechanical equipment and/or through the decorative surface treatments of flat roof areas with patterns of gravel or other surfacing materials in varying shades and hues to create a graphic composition. Not less than fifty (50) percent of open rooftop parking on garage structures adjacent to upper level residential and hotel units shall be screened through the use of landscaped trellis structures, canopies or shade or palm trees in irrigated planters.
- (12). Trellis Structures in the RT District. In the RT-1 District, for the purpose of creating shade, screening and architectural ornamentation, a trellis structure will be permitted within the internal side and rear setback area subject to the following:
- a. The structures purpose is to support landscaping material.
 - b. The structure must be completely open on all four sides. However the side abutting an adjacent property may contain virtually transparent plant supporting material (wire mesh or similar).
 - c. The structure shall not be roofed.

- d. The top of the structure must be open with an open to solid ratio of at least 70 percent open to 30 percent solid.
- e. The structure shall not exceed ten feet in height. The vertical supports must not exceed eight inches in diameter and be at least twelve feet apart. The entire structure may not cover greater than 35 percent of the yard area in which it is placed.

j) Hedges, Fences and Walls_–

(a) Location

- 1. Front and Corner Yard Areas - For residentially zoned properties (RS, RS-1, RS-2, RD-1, RD-2, RM and RT-1 districts), within the boundary of a front or corner yard area as defined by the required setbacks in Section 90-155, the following are permitted:

- a. A hedge not exceeding 6 feet in height.
- b. A visually transparent (see section (b) 2.a. below) fence not exceeding 6 feet in height. A masonry or stone column up to sixteen inches wide, seven feet high and spaced not less than eight feet on center may be erected as a structural support for a fence. Gates must be constructed similar in design and material to the fence.
- c. A wall not exceeding 3 feet in height. A fence may be erected on top of a wall, overall not to exceed 6 feet in height. All walls on the front property line shall be set back at least eight inches to permit foundation plantings to soften and partially screen such walls. Where public concrete sidewalks abut the front property line, walls shall be landscaped at their base with shrubs or vines spaced not less than ten feet on center for the length of the wall.
- d. Massed plantings of palms and small trees along property shall not be construed as hedges.
- e. All walls and fences within front yard areas shall require review and approval of the Planning and Zoning Board.

- 2. Interior Side and Rear Yard areas - For residentially zoned properties, within the boundary of a side or rear yard the following are permitted:

- a. A hedge not exceeding 8 feet in height.
- b. A wall or fence (solid or picket) not exceeding 6 feet in height.
- c. Massed plantings of palms and small trees along property lines shall not be construed as hedges.

- 3. Commercially Zoned Properties -

- a. An eight-foot high wall, hedge or fence shall be required along all side and rear commercial B-1 property lines that are contiguous to residential zoned property, subject to vision clearance requirements established elsewhere in this section or code.

- 4. Additional Locations –

- a. All permitted outdoor storage areas in multiple-family residential and commercial zones shall be visually screened from public view by a six-foot high solid wood or masonry fence or wall.
- b. All vacant lots abutting Collins Avenue or Harding Avenue shall be hedged along that portion of the lot that is adjacent to the street right-of-way. The hedge shall not exceed four feet in height, not be lower than two feet in height and shall be of sufficient thickness and density so as to provide a physical and visual barrier similar in effect to a fence. All hedges shall be continually and regularly trimmed, and any dead plants, or plants which fail to bear leaves, shall be regularly and timely replaced. The other portions of said lots shall be hedged or fenced so as to prevent the unauthorized entry of motor vehicles thereon.
- c. Fences or walls to be built in connection with other permitted recreational uses such as baseball backstops, tennis courts, handball courts and the like shall be permitted at the height necessary for the particular use.
- d. No fence, wall or hedge shall be constructed, installed or maintained within six feet of any fire hydrant or other emergency apparatus.
- e. As provided in Section 90-181, Vision Clearances, no fence, wall or hedge shall be constructed, installed or maintained in any manner that creates a visual obstruction to vehicular traffic.
- f. Hedges and trees are strictly prohibited within Town street rights-of-way except in accordance with a master streetscape landscape plan prepared and adopted by the Town. Nothing in this section shall be construed to prohibit the planting of low growth landscaping, such as flower beds, in public street right-of-way subject to the following:
 - 1. Prior to planting within any right-of-way area, a landscaping plan shall be provided to the Town for review and approval, to ensure compliance with subparagraph a. above; and
 - 2. Prior to planting in any right-of-way area, the property owner shall obtain a Landscape Permit from the Town Manager, and execute a permission for removal, release and indemnification agreement in a form acceptable to the Town.

Right-of-way landscaping is subject to removal by the Town without notice in the event that same impedes access. The Town shall not be responsible for damage to or restoration of the removed landscaping;

- g. Walls, fences and landscape planting in any public utility easement of record shall provide that it is subject to revocation. Every application shall include a letter from the respective utility company controlling such easement granting approval for the wall, fence or planting. Each such wall, fence or planting shall be constructed or planted subject to the

conditions that the said wall, fence or planting shall be removed by the owner at any time on request of the utility company requiring the use of the space for utility purposes, and that if the owner of such property fails to remove such wall, fence or planting after request and notice, the utility company or the Town may remove such wall, fence or planting at the property owner's expense.

(b) Walls and Fences – Materials and Specifications.

1. Walls may be constructed of the following materials:
 - a. Coral Rock
 - b. Concrete block stuccoed on both sides with a concrete cap.
 - c. Slump or adobe brick
 - d. Precast Concrete
 - e. Used red brick, limed red brick or cement brick painted subject to approval of the Planning and Zoning Board.
2. Fences within corner and front yard areas may be constructed of the following materials:
 - a. Wood, ornamental wrought iron, ornamental cast iron or cast aluminum, and vinyl limited to visually transparent picket fences (not more than 50% of the area of said fence, as measured by the overall width times overall height of the fence, may be visually obstructed by the pickets) with no more than three inches between pickets, and shall be painted, except for integral color aluminum and vinyl.
3. Fences within interior side and rear yard areas may be constructed of the following materials:
 - a. Aluminum chain link
 - b. Galvanized steel chain link.
 - c. Vinly coated galvanized steel chain link only in the following colors – black, dark green, forest green, turf green and aqua.
 - d. Ornamental wrought iron, ornamental cast iron or cast aluminum.
 - e. Wood
 - f. Vinyl

Chain link fences shall be landscaped with shrubs or vines so as to fully screen them from view when seen from a public street right-of-way. Except for weather resistant woods such as redwood, teak, Ipé, and the like, all wood fences must be painted, stained or sealed on each side such that bare construction grade materials are visually finished and maintained in good condition. Fences that are erected with sheathing, pickets or slats on one side only shall have such materials placed on the side of the fence facing the adjacent property in such a manner as to conceal the structural elements of the fence from off-premises view.

4. Ornamental entrances, fountains, plant containers and similar architectural features within front yard areas exceeding the fence height restriction shall be permitted, provided that:

- a. No such feature shall exceed the fence height restriction plus three feet and;
- b. There shall be only one such feature in any front yard, except that there may be two entrance gates.

(c) Hedges – Materials and specifications.

1. Hedge plantings must conform to Section 90-195 - Prohibited plants, trees, weeds, shrubs and vegetation, except that existing hedge plantings of Ficus species may be retained in accordance with maintenance standards provide herein and are kept strictly trimmed to permitted heights to contain root growth. Where the potential for root damage to underground utilities exists, the Town may require removal of a Ficus hedge at the owner's expense.
2. The use of Ficus species for new hedge plantings is prohibited except to replace damaged or dead plant material in existing Ficus hedges.

k) Permeability - Minimum Design Standards – Single Family and Duplex. The following shall apply to all developments in the R, RS-1, RS-2, and RD-1 Districts:

- 1) All front yard areas, exclusive of required driveways and entrance ways (but never less than 30 percent of the entire front yard area) shall be landscaped and be readily permeable by rainwater and groundwater, as provided in Section 90-188. Where bricks or pavers of any kind are utilized, openings in them or spaces between them shall not be considered in meeting the 30 percent landscape requirement.
- 2) Rear yard areas in the RS, RS-1, and RS-2 Districts shall have not less than 40% of the area landscaped and readily permeable by rainwater and groundwater.
- 3) All site landscaping shall conform to the standards and guidelines of the Home Size and Neighborhood Compatibility Design Guidelines as adopted by the Town.

l) Recommended Xeriscape Plant Species for Landscaping. It is recommended that 50% or more of the plant material used in landscape plans consist of Xeriscape plants which are native and subtropical species well adapted to the local climate and growing conditions of South Florida. They are especially drought tolerant, suited to the local soil conditions, relatively pest free and easily maintained. See Appendix A. attached hereto for a recommended list of native Xeriscape plant material.